

named, so as to exclude and exempt Pecos County, and declaring an emergency."

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Parr, Chairman; Buchanan of Bell, Johnson, Dean, Robbins, Hudspeth.

TWENTY-FOURTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, February 8, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Henderson.

By unanimous consent, the Chair announced that the Senate would stand at ease for fifteen minutes, at the expiration of which time the roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Westbrook.
Henderson.	Woodward.

Absent—Excused.

Suiter.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Simple Resolution No. 67.

(By unanimous consent.)

Whereas, There is at this time in the gallery that splendid ex-Senator, Hon. W. N. Adams, of Brown County;

Resolved, That he be invited to address the Senate.

JOHNSON of Hall,
HUDSPETH,
WOODWARD.

The resolution was read and adopted.

Ex-Senator Adams addressed the Senate briefly.

Bills and Resolutions.

By Senator Harley:

S. B. No. 320, A bill to be entitled "An Act to amend Article 421 of the Penal Code of the State of Texas, to further define "barratry" so as to include the fomenting of litigation for profit and by persons in addition to attorneys at law by soliciting employment or advancing money or other things of value to the parties to litigations in order to procure employment, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator McCollum:

S. B. No. 321, A bill to be entitled "An Act to create the Tenth Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the Tenth Supreme Judicial District of Texas, and to reorganize the Second, Third, and Fifth Supreme Judicial Districts, so as to conform to the provisions of this Act; to repeal all laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Parr:

S. B. No. 322, A bill to be entitled "An Act creating the Tilden Independent School District in McMullen County, Texas, and defining the boundaries; and to provide for the creating of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and providing authority to issue

bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay current expense for the maintenance and support of said schools; providing for a board of equalization and prescribing the duty and authority of said board; repealing all laws in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Bailey:

S. B. No. 323, A bill to be entitled "An Act to amend Article 3876, Title 58, Chapter 3, of the Revised Civil Statutes of 1911, relating to district and county surveyors' fees, fixing the fees to be received by said officers, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Clark:

S. B. No. 324, A bill to be entitled "An Act to amend Sections 2, 8, 9, 12 and 40 of Chapter 148, Local and Special Laws of the State of Texas, passed by the Regular Session of the Thirty-third Legislature, entitled, 'An Act to authorize Fayette County or any political subdivision of said county by a vote of a two-thirds majority of the resident property taxpayers, qualified voters of such county or political subdivision thereof, voting thereon, to issue bonds to any amount, not exceeding one-fourth of the assessed valuation of the real property of such county or political subdivision and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads or turnpikes and prescribing ways and means of conducting and supervising said work. And providing a method of making up tax rolls and for deposit and disbursement of said funds and regulation of traffic on said roads, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Hall:

S. B. No. 325, A bill to be entitled "An Act to amend Chapter 19, Sec-

tion 1, of the General Laws of the State of Texas, passed at the First Called Session of the Thirty-fourth Legislature of the State of Texas, changing the time of holding the terms of the District Court in the Twenty-third Judicial District of Texas, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Hall:

S. B. No. 326, A bill to be entitled "An Act to aid the County of Chambers in rebuilding roads and bridges within said county, which were destroyed by a flood and storm in said county on August 16, 1915, by donating and granting to it, the said County of Chambers, the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Chambers County for a period of ten years, and to provide a penalty for their misapplication."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senators McCollum, Johnson of Hall, Gibson, Floyd and Hall:

S. B. No. 327, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide for all courses of study, by correspondence, that supply the needs of Texas people; to provide for the appointment of an executive board for same, and prescribe their duties; to provide for the appointment of members of the faculty, prescribe their duties and provide for the salaries of members of said faculty."

Read first time and referred to Committee on Educational Affairs.

By Senator Harley:

S. B. No. 328, A bill to be entitled "An Act to permit railroad corporations, by and with permission of the Railroad Commission of Texas, to change, re-locate or abandon any portion of its line when without the limits of any incorporated city, town or village, and to change, re-locate or abandon any part of its line within the limits of any incorporated city, town or village, by and with the permission of the Railroad Commission of Texas, and the city council or board of aldermen of such city, town

or village, and providing for the exercise of the right of eminent domain to acquire right of way and depot grounds when lines are changed or re-located, and validating such changes, re-locations or abandonments, when heretofore made with the permission of the Railroad Commission of Texas, and repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Bee:

S. B. No. 329, A bill to be entitled "An Act to build, establish and maintain upon land now or hereafter to be owned by the State in the central part of the State, a Pasteur Institute and Bacteriological Laboratory, declaring the purpose of such institution, providing the employes therefor, naming a committee to carry out the provisions of this Act, and making an appropriation for such purposes; fixing the salaries of the employes, and declaring an emergency."

Read first time and referred to Committee on Public Health.

By Senator McNealus:

S. J. R. No. 15, "A joint resolution proposing an amendment to Article 3 of the Constitution by inserting therein following section 49 a new section to be known as section 49a, and in substance providing that the Legislature shall have authority by law or an appropriate governmental agency to fix a minimum price at which cotton may be profitably grown in this State and to sustain said price by the purchase of cotton for the State or the lending of money thereon; giving the Legislature authority to levy a tax of not exceeding ten cents on the one hundred dollars' valuation for the purpose of obtaining funds to carry out this grant of power and giving the Legislature authority to borrow money on the credit of the State within certain fixed limitations, and providing for the collection, maintenance and investment of a fund for the purposes herein specified; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment on the 5th day of November A. D. 1918;

making certain provisions for said election ballots thereof and method of voting; directing issuance of a proclamation therefor, prescribing certain duties for the Governor of the State and making an appropriation to defray the expenses of said election."

Read first time and referred to Committee on Constitutional Amendments.

By Senator Parr:

S. B. No. 330, A bill to be entitled "An Act to create a Criminal District Court for the Counties of Nueces, Kleburg, Willacy and Cameron, and to prescribe the jurisdiction thereof as a Criminal Court; and also conferring upon said court the power to try and determine divorce suits, to fix time for holding the terms thereof; to provide for the appointment and election of the judge thereof; to provide for the sheriff, clerk and attorney thereof, and their election; to limit and conform thereto the jurisdiction of the court of the Twenty-eighth Judicial District of the State of Texas; to conform and validate all writs, processes, bonds, recognizances and drawing of petit and grand juries of such courts to the changes made herein; and to define the jurisdiction of the district court of the Twenty-eighth Judicial District of Texas; to repeal all laws and parts of laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senators Dean and Smith:

S. B. No. 331, A bill to be entitled "An Act to amend Article 350 of the Revised Civil Statutes of 1911, of the State of Texas, providing for the joint duties of county and district attorneys and to provide for compensation of county attorneys in certain cases."

Read first time and referred to Committee on Civil Jurisprudence.

Simple Resolution No. 66.

Whereas, The Constitution of Texas commands the Legislature of this State to "Establish, organize and provide for the maintenance, support and direction of a University of the first class," and

Whereas, The carrying out of this mandate of the Constitution imposes upon the Legislature the high duty of a continuing effort to see that the State University, so established and provided for, is wisely directed and supported; and

Whereas, The Legislature has provided that the medium by which they direct the affairs of the State University shall be a Board of Regents "appointed by and with the advice and consent of the Senate" upon nomination of the Governor; and

Whereas, Upon the fitness, ability and character of the Board of Regents, and their entire removal from political entanglement, favoritism, and private prejudgment, and their unselfish devotion to the cause of higher education as embodied in a great State University, depends the growth, success and life itself of our State University; and

Whereas, No university can be of the first class, and attract and hold the strongest men in its teaching force, or have the necessary harmony of co-operation among its teachers, except they be elected for life, during good behavior and maintenance of efficiency, and upon recommendation of the president, as is done in all the great universities of the world; and

Whereas, An effort has recently been made by the Governor of this State to have summarily removed a number of the members of the teaching force of the State University who are among the oldest in point of service, which effort failed, after a hearing before the Board of Regents, such removal being opposed by Alex Sanger of Dallas, Will C. Hogg of Houston, David Harrell of Austin, and Dr. Faber of Tyler, all of them men of the very highest character and fitness; and

Whereas, Dr. Faber was the only one of the said named regents appointed by the present Governor, and his resignation was demanded and accepted by the Governor because his views upon the removal of such men were not in harmony with those of the Governor; and

Whereas, notice was served at the time of said hearing that if the men were not removed the Governor would bide his time until other members of the Board of Regents could be appointed; and

Whereas, The time for appointment

of other regents has come, and the names of the aforesaid distinguished members of the board are not now sent to the Senate by the Governor, but other names are sent; and

Whereas, It has been brought to the attention of members of the Senate upon information that one or more of the men whose names have been sent in by the Governor as his nominees for members of the Board of Regents and certain members of the Board of Regents have already committed themselves to the policy of the dismissal of members of the faculty whose removal was demanded by the Governor, and of others because of personal dislike; and

Whereas, The Senate feels very keenly its grave responsibility to the people of this State, and to the State University in the matter of the direction and support of the University, and its selection of men to serve in the high office of regent, and believes only men free from bias or prejudice or prejudgment should be selected by it; therefore be it

Resolved by the Senate of Texas, That a committee to be composed of five members of the Senate be selected by the Lieutenant Governor, whose duty it shall be to make a full, complete and fair investigation of all matters concerning the University of Texas in any of its branches, touching the character or standing of its teachers or employes; the use or expenditure of any moneys by same, including any charges brought against any employe, officer or teacher thereof; and also further investigate the conduct and methods of the Board of Regents and the attitude of each of the men recommended for appointment and selection by the Senate as members of the Board of Regents toward the management and internal workings of the University, and with regard to whether or not said nominees have already been seen, or have in anywise committed themselves to or for the retention or dismissal of any member of the faculty, and as to whether or not said nominees have any prejudgment of any question heretofore settled by a former Board of Regents, and as to whether or not such nominees would attempt to have dismissed any member of the faculty upon any charge heretofore investigated and passed upon by any former board. Be it further

Resolved, That such committee hold its meetings open to the public, and that any and all persons interested be invited to attend and be invited to give any evidence or make any statement which would shed light upon the matters legitimately inquired into. Be it further

Resolved, That a stenographer be employed to take down a record of such investigation, and the evidence and statements made before the committee, and that the chairman of such committee be authorized to issue a subpoena for any person who refuses to come upon request of the committee, and that the Sergeant-at-Arms of the Senate, or one of his assistants be authorized and empowered to execute said subpoena, and that any expense of stenographer, Sergeant-at-Arms, or any member of said committee, be paid out of the contingent expense fund of the Senate upon voucher signed by the chairman of said committee, and approved by the Secretary of the Senate. Be it further

Resolved, That said committee be requested to proceed at once to hold its meetings and make such investigation, and that it make report to the Senate at the earliest possible date.

LATTIMORE.

The resolution was read, and

Senator Westbrook moved that the same be laid on the table subject to call.

Pending discussion by Senator Hudspeth, Senator Page made the point of order that a discussion of appointments of the Governor which have not been acted upon by the Senate is improper.

The point of order was sustained.

Action recurred upon Senator Westbrook's motion, and Senator Page moved, as a substitute, that the resolution be referred to a committee of three to be appointed by Lieutenant Governor Hobby.

Senator Hudspeth moved the previous question on the motion of Senator Westbrook and the substitute of Senator Page.

The previous question was duly seconded and ordered.

Action recurred upon the substitute motion of Senator Page, and the same was adopted.

Senate Bill No. 231 and Senate Bill No. 244 Set for Special Order.

By unanimous consent and on request of Senator Westbrook,

S. B. No. 231 and S. B. No. 244 were set as special orders for Friday, February 16, at the conclusion of the morning call.

Morning call concluded.

Senate Bill No. 278

By unanimous consent and on request of Senator Dean, the Chair laid before the Senate on second reading;

S. B. No. 278, A bill to be entitled "An Act amending Articles 2440, 2441, 2442, 2443, 2444 and 2445, Chapter 2, Title 44, of the Revised Civil Statutes of the State of Texas of 1911, providing for county depositories; providing that the amount of the bond of the county depository shall in no event be for less than the total amount of revenue of the county for the next preceding year; adding Article 2443a, providing and requiring special additional bonds to cover any or all special funds, including the sale, or sales, of bonds belonging to the county, or a subscription thereof; providing for the substitution of bonds under the provisions of this Act for bonds now in existence, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 278 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	Westbrook.
Gibson.	Woodward.
Hall.	

Absent.

Harley. McCollum.
Hudspeth. Page.
King.

Absent—Excused.

Suiter.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—26.

Alderdice.	Harley.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Dechard.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	Woodward.

Absent.

Hudspeth. McCollum.
King. Robbins.

Absent—Excused.

Suiter.

Senator Dean moved to reconsider the vote by which S. B. No. 278 was passed and table the motion to reconsider.

The motion to table prevailed.

Recess.

At 12:15 o'clock the Senate, on motion of Senator Clark, recessed until 2:30 p. m. today.

After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Henderson.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, February 7, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am instructed by the House

to inform the Senate that the House has passed the following bill:

H. B. No. 7, A bill to be entitled "An Act to amend Article 7805, of Chapter 1, of Title 130 of the Revised Civil Statutes of 1911, relating to the issuance of permits to foreign corporations, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair, President Pro Tem. Henderson, had referred, after their captions had been read, the following House Bills:

H. B. No. 7, referred to the Committee on Civil Jurisprudence.

H. B. No. 3, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 2, referred to the Committee on Roads, Bridges and Ferries.

Senate Bill No. 164.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 164, A bill to be entitled "An Act to amend Section 10 of Chapter 36, page 359, of Acts of the Thirty-first Legislature, approved March 15, 1909, entitled 'An Act to validate the Wichita Falls Independent School District' (and for other purposes), by repealing the last clause of Section 10 of said Act, which limits the powers and discretion of the board of equalization of said independent school district in the performance of its duties, and declaring an emergency."

The committee report that the bill be not printed was adopted.

On motion of Senator Johnson of Hall the bill was passed to engrossment.

Senate Bill No. 153.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 153, A bill to be entitled

"An Act creating the Pleasanton Independent School District, covering the same territory heretofore known as Common School District No. 1, in Atascosa County, Texas."

The committee report that the bill be not printed was adopted.

The bill was passed to engrossment.

Senator Bailey moved to reconsider the vote by which S. B. No. 153 was ordered engrossed and table the motion to reconsider.

The motion to table prevailed.

Senate Concurrent Resolution No. 14.

(By unanimous consent.)

Whereas, the Comptroller of Public Accounts has in his possession a large amount of currency issued by the Republic of Texas in denominations of from one dollar to five hundred dollars;

And whereas, while the said currency has no value as money, it has great value as a memento of the days of stress from which our great Commonwealth emerged;

And whereas, there are many institutions in this State who are desirous of having the said currency as relics; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Comptroller of Public Accounts be and he is hereby authorized to distribute said currency to any institution applying for same, limiting the amount so distributed to a single series of from one dollar to five hundred dollars.

The resolution was read and on motion of Senator Bee adopted.

Senate Bill No. 149.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 149, A bill to be entitled "An Act to amend Chapter 177 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fourth Legislature of Texas, relating to county libraries."

On motion of Senator Dayton, the bill was passed to engrossment.

Senate Bill No. 250.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 250, A bill to be entitled "An Act to amend Section 50a, Chapter 100, Acts of the Regular Session of the Thirty-second Legislature, relating to the authority of commissioners' courts to create county line school districts; so as to authorize boards of county school trustees to create such districts and prescribing the manner whereby such districts may be created, and declaring an emergency."

The bill was read and

Senator Buchanan of Scurry offered the following amendment, which was read and adopted:

(1) Amend S. B. No. 250 by striking out the word "third" in line 11, page 2, of the printed bill and insert in lieu thereof the word "half."

Senator Harley offered the following amendment, which was read and adopted:

(2) Amend the bill, page 2, Section 2, line 13, by adding after the word "repealed" the words "provided that nothing in this Act shall affect any litigation now pending growing out of county line boundaries."

The bill was read second time and passed to engrossment.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 250 put on its third reading and final passage by the following vote:

Yeas—29.

Alderdice.	Hopkins.
Bailev.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.
Harley.	Woodward.
Henderson.	

Absent.

Robbins.

Absent—Excused.

Sulter.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—28.

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Dechierd.	Page.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.
Harley.	Woodward.

Absent.

Parr. Robbins.

Absent—Excused.

Sulter.

Senator Clark moved to reconsider the vote by which S. B. No. 250 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 159.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 159, A bill to be entitled "An Act to appropriate out of the general revenue not heretofore appropriated the sum of \$25,000, or so much thereof as may be necessary, for the remainder of the fiscal year ending August 31, 1917, and the further sum of \$45,000, or so much thereof as may be necessary, for the fiscal year ending August 31, 1918, to defray the expenses of the Department of the State Health Officer of the State of Texas in intensive rural health work and rural sanitation leading to the prevention and eradication of malaria, hookworm, typhoid fever, and other contagious diseases in the State of Texas; authorizing the State Health officer to supplement therefrom an amount

equal to an amount appropriated or set aside by any county or city or town therein for such purposes; also authorizing the State Health Officer to accept donations from any source to supplement such fund or funds, and declaring an emergency."

The bill was read, and

Senator Strickland offered the following amendments, which were read and adopted, being voted upon separately:

(1) Amend S. B. No. 159 by striking out lines 4, 5 and 6, of page 1, of said bill, and insert in lieu thereof "A bill to be entitled An Act to appropriate out of the general revenue not heretofore ap—"

(2) Amend by adding at the end of line 20, Section 3, page 2, the following, "provided, that donations made by any county in this State shall be disbursed in the county making same."

Senator Lattimore offered the following amendment, which was read and adopted:

(3) Amend bill by adding at end of line 17, page 2, printed bill, the following, "which moneys so donated if paid to the State Health officer shall be deposited with the State Treasurer and kept in a special fund to be used for the purposes set forth in this bill, and paid out as herein directed."

The bill was read second time and passed to engrossment.

On motion of Senator Strickland, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 159 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Dean.	McNealus.
Dechierd.	Page.
Floyd.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Strickland.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Present—Not Voting.

Bailey. Dayton.

Absent.

Clark.

Absent—Excused.

Suiter.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—22.

Alderdice.	Hudspeth.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Dean.	McNealus.
Dechierd.	Parr.
Floyd.	Robbins.
Hall.	Smith.
Henderson.	Strickland.
Hopkins.	Woodward.

Nays—4.

Gibson.	Page.
Johnson of Hall.	Westbrook.

Present—Not Voting.

Bailey.	Harley.
Dayton.	

Absent.

Clark.

Absent—Excused.

Suiter.

Senator Strickland moved to reconsider the vote by which S. B. No. 159 was passed and table the motion to reconsider.

The motion to table prevailed.

Bills Signed.

The Chair, President Pro Tem. Henderson, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. C. R. No. 6, expressing confidence in Woodrow Wilson and advising him of the loyalty of all Texans.

H. B. No. 11, A bill to be entitled "An Act to amend Article 1874 and Article 1875, Chapter 6, Title 37, of the Revised Civil Statutes of the State of Texas, relating to citations by publication against a defendant who is a non-resident of the State, or who is absent from the State, or who is a transient person, or whose

residence is unknown, or who is the unknown heir of a deceased person."

H. C. R. No. 9, extending an invitation to surviving members of the Ninth Legislature to visit this Legislature on the 2nd of March.

H. B. No. 12, A bill to be entitled "An Act to amend Article 1905, Chapter 8, Title 37, of the Revised Civil Statutes of the State of Texas, relating to the time when the answer in case of citation by publication shall be filed."

H. B. No. 57, A bill to be entitled "An Act to amend Chapter 60 of the Acts of the Thirty-third Legislature, passed at its Regular Session and approved March 20, 1913, providing for a special road law for Hunt County, etc., and declaring an emergency."

Senate Joint Resolution No. 12.

By unanimous consent, on request of Senator McCollum, the Chair laid before the Senate on third reading:

S. J. R. No. 12, "A joint resolution proposing to amend Article 16 of the Constitution of the State of Texas by adding thereto at the end thereof another section to be known as Section 59, declaring the conservation and preservation of all the natural resources of the State of Texas are public rights and duties; providing for the creation of conservation districts; declaring such districts bodies politic and corporate; defining the authority of such districts, and conferring upon the Legislature authority to pass laws with reference thereto; declaring that the Legislature shall have authority generally to legislate for the purpose of conserving the natural resources of the State; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and the ballots thereof and the method thereof; directing the issuance of the proclamation therefor; prescribing certain duties of the Governor of the State, and making an appropriation to defray the expenses of said election."

The resolution was laid before the Senate, read third time and passed by the following vote:

Yeas—28.

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Dechierd.	Page.
Floyd.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Strickland.
Henderson.	Westbrook.
Hopkins.	Woodward.

Present—Not Voting.

Bailey.

Absent.

Clark.

Absent—Excused.

Sulter.

Senator McCollum moved to reconsider the vote by which S. J. R. No. 12 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 13.

By unanimous consent and on request of Senator McNealus, the Chair laid before the Senate:

S. B. No. 13, A bill to be entitled "An Act providing for the payment by the State of Texas a monthly pension, to indigent, widowed mothers for the partial support of their children in their own homes."

The bill having been read the second time on February 6, 1917,

Senator Hudspeth offered the following amendment, which was read and adopted:

(1) Amend the bill and the caption by striking out the word "pension" wherever it occurs and insert in lieu thereof the word "allowance."

Senator Lattimore offered the following amendment, which was read and adopted:

(2) Amend caption of the bill, page 1, line 6, of printed bill, by inserting after the word "by" the following: "any county of."

On motion of Senator McNealus, the bill was passed to engrossment by the following vote:

Yeas—17.

Alderdice.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Dean.	McNealus.
Floyd.	Parr.
Gibson.	Westbrook.
Hall.	Woodward.
Hudspeth.	

Nays—7.

Bailey.	Page.
Buchanan of Bell.	Robbins.
Harley.	Smith.
Hopkins.	

Present—Not Voting.

Henderson.

Absent.

Clark.	McCollum.
Dayton.	Strickland.
Dechierd.	

Absent—Excused.

Sulter.

House Bill No. 46.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 46, A bill to be entitled "An Act to establish a branch of the Agricultural and Mechanical College of Texas in that portion of Western Texas lying west of the ninety-eighth meridian and north of the thirtieth parallel; providing for the location of such college, its government, and the control of its finances; defining its leading objects and prescribing generally the nature and scope of instruction to be given; providing for the instruction of all students of such college in military science and for the military discipline of all students; conferring upon the board of directors of said college the right of eminent domain; making necessary appropriations for the location, establishment and maintenance of said college, and declaring an emergency."

The bill was read, and

Senator Hudspeth offered the following amendment, which was read:

Amend the bill, page 2, line 4, by adding after the word "Governor" the following: "and in the event the

Governor may not be able to act he may appoint a substitute to act in his stead."

Pending.

On motion of Senator Hudspeth, the bill was laid on the table subject to call.

Senate Bill No. 166.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 166, A bill to be entitled "An Act to authorize the city council, board of commissioners or city manager of any city in this State to levy and collect a tax not to exceed five cents on each \$100 assessed valuation of the city for one year for the purchase and improvement of lands for city parks, and providing the manner of acquiring lands for park purposes, and providing for the management and control of said city parks, and declaring an emergency."

The bill was read, and

Senator Lattimore offered the following amendment, which was read and adopted:

(1) Amend the bill by inserting the word "incorporated" before the word "city" in line 16, page 1, of printed bill; also before the word "city" in line 8 of the bill, same being the caption.

Senator Smith offered the following amendments, which were read and adopted, being voted upon separately:

(2) Amend the bill, Section 3, line 31, by inserting after the word "parks" "not to exceed five cents on each hundred dollars of assessed valuation of the city."

(3) Amend the bill, Section 4, line 32, by changing the words "city parks" to "a city park."

Senator Smith moved to lay the bill on the table subject to call.

The motion prevailed.

Senate Bill No. 118.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 118, A bill to be entitled "An Act to aid the city of Paris and Lamar County in the re-establishment and rebuilding permanent im-

provements by donating and granting to them the State ad valorem and a part of the poll taxes and occupation taxes collected on property and from persons in said County of Lamar, for a period of five years, and to provide a penalty for their misappropriation."

On motion of Senator Gibson, the bill was passed to engrossment.

Senate Bill No. 13—Vote Rescinded.

Senator McNealus moved to rescind the vote by which S. B. No. 13 was passed to engrossment.

The motion prevailed.

Senator McNealus offered the following amendments, which were read and adopted, being voted upon separately:

(3) Amend S. B. No. 13 by adding another section to be known as Section 7, the emergency clause, to read as follows. Section 7. The fact that many widowed mothers of this State are without sufficient means of support for themselves and their children creates an emergency and imperative public necessity requiring that the constitutional rule which provides that bills shall be read on three several days shall be suspended, and said rule is suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(4) Amend S. B. No. 13 by adding at the end of the caption the words "and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 13 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Dechierd.	Robbins.
Floyd.	Smith.
Hall.	Westbrook.
Henderson.	Woodward.

Present—Not Voting.

Harley.

Absent.

Bailey.
Gibson.
Hopkins.McCollum.
Strickland.

Absent—Excused.

Suiter.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—19.

Alderdice.	Hudspeth.
Bee.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Parr.
Floyd.	Smith.
Gibson.	Westbrook.
Hall.	Woodward.
Henderson.	

Nays—6.

Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Harley.	Robbins.

Absent.

Bailey.	McCollum.
Decherd.	Strickland.
Johnson of Hall.	

Absent—Excused.

Suiter.

Reasons for Vote:

I vote "No" on Senate Bill No. 13 because, while there may be isolated cases wherein relief would be granted to widows with dependent young children, I believe the bill to be in violation of the Constitution of the State of Texas; and I oppose the extension of the pension system save by constitutional amendment submitted to a vote of the people.

PAGE.

I vote "No" on this bill because I believe the same is unconstitutional and wrong in principle, as it is paternalistic and not democratic.

HARLEY.

Senator McNealus moved to reconsider the vote by which S. B. No. 13

was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 28.

(By unanimous consent.)

The Chair laid before the Senate on second reading,

H. B. No. 28, A bill to be entitled "An Act to amend Article 1164 of the Revised Civil Statutes of the State of Texas as amended by Chapter 102 of the Acts of the Regular Session of the Thirty-fourth Legislature, found at page 156 of the printed session Acts, relating to the employment or use of the stock, means, assets and other property of corporations, and declaring for what purposes the same may be used; penalizing the officers or agents or employees of such corporations or other organizations who wrongfully use the moneys, means or assets contributed thereto; and declaring an emergency."

Senator Caldwell moved that the bill be passed to a third reading.

The motion prevailed by the following vote:

Yeas—19.

Alderdice.	Henderson.
Bee.	Hudspeth.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	Page.
Dean.	Parr.
Decherd.	Smith.
Gibson.	Woodward.
Hall.	

Nays—6.

Bailey.	McNealus.
Harley.	Robbins.
Hopkins.	Westbrook.
Johnson of Hall.	

Present—Not Voting.

Buchanan of Bell.

Absent.

Floyd.	Strickland.
King.	

Absent—Excused.

Suiter.

On motion of Senator Caldwell,

the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 28 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Westbrook.
Hall.	Woodward.
Henderson.	

Nays—4.

Bailey.	Hopkins.
Harley.	Robbins.

Present—Not Voting.

Buchanan of Bell.

Absent.

King. Strickland.

Absent—Excused.

Sulter.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—19.

Alderdice.	Hudspeth.
Bee.	Johnson of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	Page.
Decherd.	Parr.
Floyd.	Smith.
Hall.	Woodward.
Henderson.	

Nays—5.

Bailey.	Robbins.
Hopkins.	Westbrook.
McNealus.	

Present—Not Voting.

Buchanan of Bell. Johnson of Hall.

Absent.

Dean.	Harley.
Gibson.	Strickland.

Absent—Excused.

Sulter.

Senator Caldwell moved to reconsider the vote by which H. B. No. 28 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 322.

(By unanimous consent.)

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 322 was put on its second reading by the following vote:

Yeas—23.

Bailey.	Hudspeth.
Bee.	Johnson of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Hall.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Alderdice.	Johnson of Hall.
Dean.	McCollum.
Gibson.	Strickland.
Harley.	

Absent—Excused.

Sulter.

The Chair laid before the Senate on second reading,

S. B. No. 322, A bill to be entitled "An Act creating the Tilden Independent School District in McMullen County, Texas, and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 322 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Scurry.	King.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Page.
Dechard.	Parr.
Floyd.	Smith.
Hall.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Buchanan of Bell.	McCollum.
Caldwell.	Robbins.
Gibson.	Strickland.
Harley.	

Absent—Excused.

Sulter.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—26.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Page.
Dechard.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Westbrook.
Henderson.	Woodward.

Absent.

Buchanan of Bell.	McCollum.
Harley.	Strickland.

Absent—Excused.

Sulter.

Senator Parr moved to reconsider the vote by which S. B. No. 322 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 81.

(By unanimous consent.)

The Chair laid before the Senate on second reading,

S. B. No. 81, A bill to be entitled

"An Act to amend Articles 5982 and 5988 of Title 96 of the Revised Civil Statutes of 1911, relating to navigation districts so as to provide that any navigation district in addition to authority to levy taxes for interest and sinking fund upon bonds which may be voted, shall also be authorized to levy an additional tax not exceeding ten cents on the one hundred dollar valuation upon all property within such navigation district for the maintenance, upkeep and operation of said district and all improvements constructed by such district; and so as to provide the amount of the bond of the county treasurer as treasurer of a navigation district shall be fixed by the navigation and canal commissioners of such district at not less than twice the estimated amount of funds which will be in the hands of said treasurer at any time, except where bonds of said district are voted, in which event said treasurer shall execute an additional bond in twice the amount of such bond issue before receiving the proceeds thereof."

The bill was read, and

Senator King offered the following amendment, which was read and adopted:

(1) Amend the caption by adding the following: "and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator King, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 81 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Page.
Dechard.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Westbrook.
Henderson.	Woodward.

Absent.

Buchanan of Bell.	McCollum.
Harley.	Strickland.

Absent—Excused.

Suiter.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—26.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Westbrook.
Henderson.	Woodward.

Absent.

Buchanan of Bell. McCollum.
Harley. Strickland.

Absent—Excused.

Suiter.

Adjournment.

At 5:35 o'clock p. m., on motion of Senator Clark, the Senate adjourned until 9:50 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

To the Honorable Senate of the State of Texas:

The ex-students of the University of Texas, acting through the undersigned Central Committee, beg leave to call to the attention of your honorable body certain matters which, in their opinion, require your most earnest consideration.

Within recent months published statements have repeatedly appeared reflecting upon the integrity of certain members of the faculty and upon the business methods of the University, and, notwithstanding these matters were properly called to the attention of the Board of Regents by his Excellency, Honorable Jas. E. Ferguson, Governor of Texas, in October last and were by that body investigated and passed upon, ru-

mors persist that the internal affairs of the institution are not in satisfactory condition.

As grateful recipients of the State's bounty in providing us with free university training, we feel under peculiar obligation to leave no effort unexpended to the end that the opportunities which have been ours may continue unimpaired and ever increasing for the youth of Texas in this and succeeding generations. It is for this reason alone that we ask of your honorable body the appointment of a committee to conduct a searching, public inquiry into all of the affairs of the University during the years of its existence, including the manner of organization and the conduct of its Board of Regents, its faculty and of its various departments to the end that it may stand forth before the whole people in the bright light of truth—to be cleansed of error if it has in any respect fallen into evil ways, and to be upheld and applauded by all men if it is found without fault.

The confidence of the people has been shaken, suspicion has been fostered where formerly there was abiding faith. In this atmosphere a University worthy of the name cannot exist—certainly it cannot thrive. In the name of enlightened education in all of its branches we call upon you to ascertain, through means at your command, the truth—the whole of the truth—so that, when your labors are ended no man may feel just doubt of the integrity and high purpose of our University in its march toward the goal set for it by the fathers.

THE EX-STUDENTS' ASSOCIATION OF THE UNIVERSITY OF TEXAS, THROUGH ITS CENTRAL COMMITTEE.

By John W. Brady, Chairman; J. W. M. Odell, Cleburne; C. K. Lee, Fort Worth; Leon D. Brown, La-Grange; Edward Crane, Dallas; T. B. Greenwood, Palestine; James W. McClendon, Austin, Members of Committee.

The foregoing memorial is printed here by order of the Senate on motion of Senator Caldwell.

Senator Buchanan of Scurry offered a report from the Jones County Farmers' Union favoring the retention of the Agricultural Department

and the Warehouse and Marketing Department.

Senator Page had read a telegram from the Federal Reserve Bank of Dallas urging the consideration of the credit statement law, making it as stringent as possible.

Senator Page offered a petition from Elgin, Texas, business men urging the passage of the woman suffrage bill.

Senators Buchanan and Caldwell offered petitions protesting against the Nichols bill.

A petition to Senator Buchanan of Bell protesting against the passage of the car shed bill, was offered.

A numerous signed petition from Pasadena asking that a demonstration farm be located at that place, was sent up by Senator Johnson.

Senator Caldwell offered petitions from Williamson and Travis County Medical Societies opposing the optometry bill.

A letter from Austin Local Union No. 300 favoring S. B. No. 237 was offered by Senator Caldwell.

Petitions relating to the rural vendors of medicines, etc., were offered by Senators Bailey, Buchanan of Scurry, Smith, Johnson and Dayton.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, February 7, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 226 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 8, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 163 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 7, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 243 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 124 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 7, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 299 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Joint Resolution No. 12 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 116 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 227 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 85 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 8, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 238 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 8, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 100 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 8, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 278 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Reports.

(Majority Report.)

Committee Room,
Austin, Texas, February 8, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, a majority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 171, A bill to be entitled "An Act to amend Chapter 3, Title 13, Article 4025 of the Revised Civil Statutes of the State of Texas, Acts of the regular session of the Thirty-first Legislature, special session, providing for the issuance of hunting license to residents of the State of Texas, so that it shall hereafter be unlawful for any person to hunt or kill or in any manner take or destroy any game quadrupeds or wild game birds or wild water fowl protected by the game laws of this State, without first having obtained a hunting license from the Game, Fish and Oyster Commissioner permitting him to do so; and providing for an affidavit to be made by the person making application for such license, and making it the duty of the clerk of the court to

furnish the Game, Fish and Oyster Commissioner with a certified copy of the final conviction of all persons convicted for the violation of the laws governing the hunting or killing game quadrupeds, wild game birds or wild water fowl. To amend Chapter 6, Title 13, Article 891 of the Revised Penal Code of the State of Texas, Acts of the Regular Session of the Thirtieth Legislature as amended by the Acts of the Thirty-second Legislature of the State of Texas; and to amend Chapter 6, Title 13, Article 889 of the Revised Penal Code of the State of Texas as amended by the Acts of the Thirty-second Legislature of the State of Texas, and to amend Chapter 6, Title 13, Article 885 of the Revised Penal Code of the State of Texas, Acts of the Regular Session of the Twenty-seventh Legislature of the State of Texas; same pertaining to the protection and preservation of wild game, wild game birds and wild water fowl of the State of Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the bill back to the Senate with the recommendation that it do not pass, and that the Committee Substitute No. 171 do pass in lieu thereof, and that the substitute bill be not printed in the Journal.

PAGE, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 8, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 171,

Have had the same under consideration, and I beg leave to report the bill back to the Senate with the recommendation that it do not pass.

LATTIMORE.

(Majority Report.)

Committee Room,
Austin, Texas, February 8, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, a majority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 121, A bill to be entitled

"An Act to repeal Chapter 123 of the General Laws of the State of Texas, passed by the Thirty-Fourth Legislature, at its Regular Session, being 'An Act to amend Chapter 6, Title 13 of the Penal Code of Texas of 1911, inserting after Article 889a and Article 889b, fixing the closed season for killing doves, bob-whites, quail or partridges in this State;' and to amend Article 886 of the Penal Code of Texas of 1911, relating to the protection of certain useful birds so as to prohibit the killing of all harmless birds, deer and other game for a period of five years,"

Have had the same under consideration, and I am instructed to report the bill back to the Senate, with the recommendation that it do not pass.

PAGE, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 121,

Have had the same under consideration, and beg leave to report the bill back to the Senate with the recommendation that it do pass.

LATTIMORE.

Committee Room,
Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 273, A bill to be entitled "An Act to amend Article 909, Chapter 6, Title 13, Revised Criminal Statutes of the State of Texas of 1911. The same was amended at the Regular Session of the Thirty-third Legislature; providing regulating the sale and possession of certain fish, of certain sizes and weights, prohibiting the stretching of seines and nets in certain places and for certain periods of time; and providing a penalty for the violation of this section, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do

pass, with the following committee amendment:

Amend the bill, Section 1, page 1, by striking out the words "blue catfish" after the word "weight" in the sixth line of Section 1 of the bill.

PAGE, Chairman.

Committee Room,
Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 40, A bill to be entitled "An Act making it a misdemeanor to kill or in any manner injure the winged quadruped known as the common bat; repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the bill back to the Senate, with the recommendation that it do pass.

PAGE, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a majority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 139, A bill to be entitled "An Act to amend Article 4980 Title 72, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature so as to provide that the penalty for the charge or collection of usurious interest shall be the forfeiture of principal, as well as interest, and repealing laws in conflict herewith, and providing an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

PAGE, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 139,

Have had the same under consideration, and beg leave to report the bill back to the Senate, with the recommendation that it do pass.

WESTBROOK,
STRICKLAND,
LATTIMORE.

Committee Room,

Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 295, A bill to be entitled "An Act to regulate contracts of sale for the future delivery of cotton, grain, stock or other commodities; to declare under what conditions such contracts shall be valid and enforceable; to define and prohibit bucket shops and dealings therein; prescribing penalties for the violation of this Act; and to repeal Articles 536 and 537 of Chapter 2, and Articles 538, 539, 540, 541, 542, 543, 544, 545, 546, and 547 of Chapter 3 of Title 11, entitled 'offenses against public policy and economy,' of the Penal Code of 1911, and all laws and parts of laws regulating or prohibiting dealings in future contracts, or conflicting or inconsistent herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

Committee Room,

Austin, Texas, February 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 247, A bill to be entitled "An Act to amend Chapter 84, H. B. No. 653, of the Acts of the Regular Session of the Thirty-fourth Legislature of Texas, by a special law for the preservation of bass and other fish of the bass species, and of perch, sun fish and crappie species, in the following locality: In any water which is located in the valley of the Medina River from where the lower or diversion dam above the town of Castroville crosses the Medina River, in Medina County, Texas, to a point on the Medina River in Bandera County, Texas, which by following the meanders of Medina River up-

ward toward its source, shall constitute a distance of 25 miles, and in any of the waters which are impounded by the lower or diversion dam above the town of Castroville, in Medina County, and in any of the waters that are impounded by the upper or main dam in Medina County, Texas, which is located about four miles above said lower or diversion dam; and making it unlawful to catch and retain, or have possession of any bass or other fish of the bass species which are less than eleven inches in length, or to catch and retain or have possession of, in any one day, a total aggregate of more than ten bass or other fish of the bass species, or to catch and retain or have possession of in any one day a total aggregate of more than twenty crappie or sunfish species, and making it unlawful to sell, offer for sale, or buy any fish caught in any of said waters, and providing that the special Act shall be cumulative of the General Laws of the State of Texas, and not repeal same, and providing for a penalty for violation of said special law, and declaring an emergency,' and fixing the venue of the prosecutions for violations of the law, and providing it shall not be unlawful to catch and retain more than twenty perch to be used as bait, providing none of such perch so caught for bait are larger than two inches long, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the bill back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 32, A bill to be entitled "An Act to amend Article 3903, Chapter 4, Title 58, of the Revised Civil Statutes of 1911 of the State of Texas, and as amended by Chapter 142 of the Regular Session of the Thirty-third Legislature, relating to the appointment of certain officers named in

Articles 3881 and 3886 of the Revised Civil Statutes, of deputies or assistants in the performance of the duties of such officers where such assistants or deputies are necessary for the efficiency of the public service; providing for an application to be made by such officers to the county judge of the county for authority to appoint same; prescribing the issuance by the county judge of an order authorizing the appointment of such deputies or assistants shall make affidavit that such assistants or deputies are necessary for the efficiency of the public service; providing for the salary of the chief deputy and the other deputies or assistants; providing that the order of the county judge granting such authority shall state the number of deputies or assistants; providing that the officer requesting said deputies or assistants shall fix their compensation; providing the maximum amount allowed for deputies in counties having a population from 37,500 to 100,000; providing the maximum amount allowed deputies in counties having a population in excess of 100,000; and providing that in counties in excess of 100,000 inhabitants, district attorneys of any district or county attorney, is authorized, with the consent of the county judge of said county, to appoint two assistants in addition to his regular force, which two assistants shall not be required to possess same qualifications required by law for district and county attorneys; providing amount paid said deputies; also providing for \$50.00 per month for necessary expenses, etc.,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass.

Johnston of Harris, chairman; Hall, Bee, McNealus, McCollum, Lattimore, Page, King.

Committee Room,
Austin, Texas, Feb. 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

S. B. No. 194, A bill to be entitled "An Act regulating the sale of and defining agricultural planting

seeds; providing a standard of purity for such seeds; requiring their proper labeling, defining noxious and common weed seeds and inert matter, prohibiting the sale of mixed seeds unless so labeled; providing for the collection of samples and their examination; designating an officer for the enforcement of the law; providing for the expense and enforcement of the law, and fixing penalties for its violation,"

Have had the same under consideration, and beg to report the same back to the Senate with the recommendation that it do pass, with the following committee amendments.

WOODWARD, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We your Committee on Educational Affairs, to whom was referred

S. B. No. 322, A bill to be entitled "An Act creating the Tilden Independent School District in McMullen County, Texas, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Bee, Chairman; Harley, Gibson, Bailey, Page, Alderdice, Hall, Smith, Robbins, Dayton, Decherd, Lattimore.

Committee Room,
Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

H. B. No. 358, A bill to be entitled "An Act to establish the Pampa Independent School District, with certain boundaries, including the town of Pampa, Gray County, Texas, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BEE, Chairman.

Committee Room,
Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 290, A bill to be entitled "An Act to amend Section 2 of an Act creating the Jourdanton Independent School District in Atascosa County, Texas, being Chapter 79 of the Thirty-second Legislature of Texas, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BEE, Chairman.

Committee Room,
Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 310, A bill to be entitled "An Act prescribing the qualifications of the county superintendent of public instruction, fixing the salary of the county superintendent, providing that no present commissions shall be impaired, allowing commissioners courts and boards of county school trustees to provide clerical and supervisory help, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

Committee Room,
Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

H. B. No. 299, A bill to be entitled "An Act creating the Sinton Independent School District, known as Common School District No. 1, in San Patricio County, Texas, and including within its limits the municipal corporation of the town of Sinton, and defining its boundaries, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate

with the recommendation that it do pass and be not printed.

BEE, Chairman.

Committee Room,
Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 304, A bill to be entitled "An Act creating the Turkey Independent School District in Hall County, Texas, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BEE, Chairman.

Committee Room,
Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 268, A bill to be entitled "An Act directing the State Superintendent of Public Instruction to require of county judges, county, city and town superintendents, county and city treasurers and depositories of school boards and other school officers and teachers certain reports relating to school funds and school affairs; providing that the State Superintendent shall furnish blanks for such purposes; providing a penalty for a failure on the part of such officers to make such reports within twenty days after required by the State Superintendent, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

Committee Room,
Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 298, A bill to be entitled "An Act to establish a branch of the Agricultural and Mechanical College of Texas, at Stephenville, in Erath County, Texas, and to be known as the

John Tarleton Agricultural College; providing for the government and control of said institution, providing for the acceptance of donations of lands, buildings and money offered by the citizens of Stephenville and Erath County; providing for a students' loan fund, and defining the leading objects and prescribing generally the nature and scope of instruction to be given in said college, and conferring upon the Board of Directors of said college the right of eminent domain, and declaring an emergency.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Public Health, to whom was referred

S. B. No. 16, A bill to be entitled "An Act to amend Articles 6290, 6292, 6293, 6294, 6295, 6296, 6297 and 6298, Chapter 1, Title 106, Revised Civil Statutes of the State of Texas for 1911; making it the duty of the Texas State Board of Pharmacy to examine applicants for registration in the months of June and January of each year; prescribing the fees that may be charged for such examination; making it unlawful for any person not licensed under the provisions of this Act to conduct or manage any pharmacy, drug or chemical store, or other place of business for the retailing, compounding or dispensing of certain drugs, or for the compounding of physicians' prescriptions; prescribing the percentage applicants for registration must make on examinations; providing for the issuance of a life certificate to practice pharmacy by the said Board of Pharmacy; defining the term, "Practice Pharmacy"; providing for reciprocity with other States; providing for the renewal of certificates and the fee to be charged therefor; fixing a penalty for the violation of any of the provisions of this Act; amending Article 781 and repealing Articles 771, 772, 773, 774, 775, 776, 778 and 780 of Char-

ter 8, Title 12, of the Revised Criminal Statutes of the State of Texas for 1911, and all laws or parts of laws in conflict with this Act."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

McNEALUS, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Public Health, to whom was referred Senate Bill No. 16,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendment:

Amend the bill, Section 1, page, 3, by striking out Article 6293a and inserting in lieu thereof the following: Article 6293a. The term "Practice Pharmacy," as used in this Act, shall be construed to mean compounding and dispensing physicians' prescriptions; or selling drugs and chemicals at retail or selling patent or proprietary remedies for internal use that contain alcohol in any quantity, or cocaine, salts of cocaine, or any morphine or salts of morphine, or any preparation containing morphine or salts of morphine, or any opium or preparation containing chloral hydrate, or conducting or managing any pharmacy or drug store, or any place of business of whatsoever kind for dispensing or compounding, selling at retail or distributing any drug, chemical or medicine, preparation except under the direction, supervision of a person licensed as a pharmacist; provided, however, that nothing in this Act shall be construed to prevent any legally registered practitioner of medicine, dentist or veterinary surgeon from compounding his or her prescriptions or from supplying his or her bona fide patients with medicine; nor shall this Act be construed so as to prevent any merchant from selling poisonous substances which are sold exclusively for use

in the arts, or which are used as insecticides, or for killing rats, roaches, wolves, prairie dogs, or other undesirable insects or animals, when such substances are sold in unbroken packages, bearing a label having plainly written on it the name of the contents, the word "poison," and the name of at least two readily obtainable antidotes, or for selling any drugs or any chemicals, or any patent or proprietary remedies which do not contain alcohol, or any of the narcotics heretofore mentioned in this Article, or from selling any flavoring extracts or any toilet preparations, or any food products, or any beverages; provided, further, nothing in this Act shall be construed to prevent the sale of stock on hand at the time this Act goes into effect.

McNEALUS.

Committee Room,
Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 234, A bill to be entitled "An Act creating and incorporating the San Antonio Independent School District, and defining its boundaries, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BEE, Chairman.

Committee Room,
Austin, Texas, Feb. 8, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 172, A bill to be entitled "An Act to fix the time when a chattel mortgage shall be presumed to be paid, and for their destruction by the County Clerk after a designated period and providing that chattel mortgages on agricultural products shall not be notice to those not parties to the instrument of the lien, unless the party who owes the debt for which the chattel mortgage is given shall make affidavit and have said mortgage advanced on the record, on or before

January 10th of the year for which mortgage is claimed as a lien on said agricultural products, and declaring an emergency, amends Article 5662, Chapter 7, Title 86, R. S. 1911,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

TWENTY-FIFTH DAY.

Senate Chamber,
Austin, Texas.

Friday, February 9, 1917.

The Senate met at 9:50 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Henderson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Westbrook.
Henderson.	Woodward.

Absent—Excused.

Suiter.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Westbrook.

Special Committee Appointed.

Senate Chamber,
Austin, Texas, February 9, 1917.

To the Senate:

To serve on the Special Committee to whom has been referred by the Senate Simple Resolution No. 66, I appoint the following: Senators Page, Dayton and Henderson.

HOBBY, Lieutenant Governor.